

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAR 18 2008

O'BRIEN, :

Plaintiff, : ORDER

-against- : 07 Civ. 3974 (KMK)(LMS)

YONKERS, et al., :

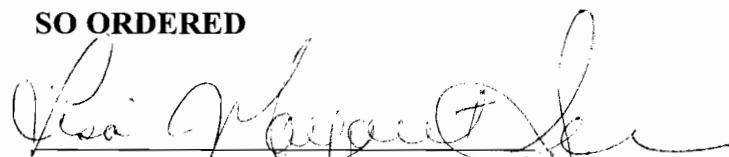
Defendant. :

X

This Court, having received the grand jury minutes in the matter of People v. Jesse O'Brien, I05-1609, pursuant to the Decision and Order of the Honorable Richard B. Liebowitz, Supreme Court, Westchester County, filed and entered February 11, 2008, and having reviewed those grand jury minutes *in camera*, it is

HEREBY ORDERED that a copy of the evidentiary portion of those grand jury minutes shall be produced by the Clerk along with this Order to counsel for plaintiff and counsel for defendants in this matter, for use in connection with this litigation, and for no other purpose. This Court concludes that there is no need for counsel to have access to the portion of the minutes constituting legal instructions and proposed charges, and those sections of the minutes shall not be produced.

Dated: March 18, 2008  
White Plains, New York

**SO ORDERED**


Lisa Margaret Smith  
United States Magistrate Judge  
Southern District of New York

